

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

GRACE ROSE FARM,

Plaintiff,

v.

FEDEX CORPORATION,

Defendant.

Case No. 2:22-cv-07566-SB-PD

ORDER TO SHOW CAUSE RE:
SUBJECT MATTER
JURISDICTION

Defendant FedEx Corporation removed this case based solely on diversity jurisdiction. The notice of removal identifies Defendant as a citizen of Delaware and Tennessee and identifies Plaintiff as a “California limited liability company with its principal place of business in Ventura County, CA” and therefore a citizen of California. Dkt. No. [1](#) at 3. But the citizenship of a limited liability company is determined by the citizenship of each of its members, not by its principal place of business or the law under which it is organized. [*Johnson v. Columbia Props. Anchorage, LP*](#), 437 F.3d 894, 899 (9th Cir. 2006).

Although Plaintiff has not contested the existence of complete diversity, this Court has a duty to assess whether federal subject matter jurisdiction exists and may consider the issue sua sponte. See [*Allstate Ins. Co. v. Hughes*](#), 358 F.3d 1089, 1093 (9th Cir. 2004); [*Ruhrgas AG v. Marathon Oil Co.*](#), 526 U.S. 574, 583 (1999) (recognizing that “Article III generally requires a federal court to satisfy itself of its jurisdiction over the subject matter before it considers the merits of a case”). Accordingly, Defendant is ORDERED to show cause, in writing, by no later than October 26, 2022, why the Court has jurisdiction over this case. Defendant’s response must identify all members of Plaintiff and their citizenship.

Date: October 19, 2022


Stanley Blumenfeld, Jr.
United States District Judge